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BY ELECTRONIC MAIL

Scott K. Bergmann
Legal Advisor to Commissioner Adelstein
Federal Communications Commission
c/o Vistrionix, Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

**RE: Rules and Regulations Implementing the Telephone Consumer
Protection Act of 1991, CG Docket No. 02-278**

Dear Mr. Bergmann:

As a follow-on to our discussions on Tuesday, we wanted to take this opportunity to provide you with an alternative solution to the problem we discussed:

As we have stated in our presentation and past filings, Vector's reps do not use their telephones for any purpose other than to set up appointments. They make no attempt whatsoever to encourage the purchase of Cutco cutlery over the phone; rather, the *entire* sales presentation takes place as part of an in-home, face-to-face meeting.

Therefore, since the TCPA's definition of "telephone solicitation" is "the initiation of a telephone call or message *for the purpose of encouraging* the purchase or rental of, or investment in, property, goods, or services . . ." the FCC could, without creating additional exemptions from the statutory definition, explicitly clarify that calls from direct sellers who use their phones *solely* to set up appointments for in-the-home sales presentations are outside the definition of "telephone solicitation."

Respectfully submitted,

VECTOR MARKETING CORPORATION

By: _____

Judith L. Harris
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Its Attorneys

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